

independent form. Claims 1, 2 and 17-19 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Takano *et al.* (Takano) (US 5,053,014). Applicant submits the following in traversal of the rejections.

Claim 1

The Examiner asserts that Takano either explicitly or inherently teaches the elements of claims 1, 2, and 17-19. Further, the Examiner states that the printer of Takano automatically determines the type of media and its characteristics and attributes loaded in the paper cassette and inhibits image forming when determination of media type currently in the cassette is unacceptable.

Claim 1 recites a discriminator for storing reference information representing acceptable recording material. Assuming Takano determines whether a media type currently in a cassette is unacceptable, there is no indication that acceptable media is stored in a discriminator. At most, Takano indicates that if a cassette is not a contemplated one, then the cassette will not be used. See col. 6, line 66 to col. 7, line 2. However, there is no indication as to how it is determined whether a cassette is “contemplated.”

Moreover, there is no indication that the discernment information of recording material being loaded is checked with reference information in the discriminator to determine whether or not a media is acceptable. The Examiner asserts that Takano col. 6, line 37 to col. 7, line 39 teaches the aspects of claim 1. The respective column and lines cited by the Examiner describe the operation of the bar code reader 22. At most, it appears a comparison is made between the

initial sheet number and the number of sheets used in order to determine a number of sheets remaining. Col. 8, lines 1-5. However, there does not appear to be any indication of checking discernment information with reference to reference information in order to determine whether a recording material is acceptable or unacceptable.

Further, assuming that a first comparison is made relative to an input by a bar code, the input bar code information is not necessarily the basis of comparison for a determination made with respect to the acceptability of a recording material.

Moreover, the aspect of Takano cited by the Examiner describes recognizing the characteristics of the paper in the cassette by analyzing the data read out from the bar codes on the cassette. The analyzed data are stored in the memory and the paper characteristics are used to set conditions for copying. When the paper characteristics are other than those contemplated as a result of the analysis, no copying operation is conducted. See col. 7, lines 15-31.

Consequently, Takano seems to merely recognize if the paper characteristics are in the range of the printer determinable image forming conditions. That is, Takano does not check the stored data of the printer with the bar code data, rather it merely detects the paper characteristics to recognize the availability of copying.

On the contrary, an exemplary embodiment of this invention discriminates not only the paper characteristics such as size, thickness and quality, but also the distribution channel of the recording material. Thus, claim 1 discloses storing in the discriminator, reference information which represents acceptable recording material and to check the discernment information of the

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recording material with the reference information. The reference information is not limited to the paper characteristics. In this invention, the recording material with the discernment information showing the same paper characteristics but the different distribution channel as the reference information turns to be unacceptable.

Takano's paper characteristic detection does not disclose the reference information which represents acceptable recording material.

Moreover, an inherency argument must be supported in fact or technical reasoning. MPEP 2112. Merely stating that elements of the claim are inherent in the cited art is not based on fact or technical reasoning.

Therefore, for at least the above reasons, claim 1 and dependent claims 2 and 17-19 should be deemed patentable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,



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